

31A-27a-801 Condition on release from delinquency proceedings.

- (1) Unless otherwise provided in a plan approved by the guaranty associations, an insurer that is subject to a rehabilitation proceeding may not take an action listed in Subsection (2) until all payments by all guaranty associations of or on account of the insurer's contractual obligations are repaid to the guaranty associations with:
 - (a) all expenses related to the payments by all guaranty associations of or on account of the insurer's contractual obligations; and
 - (b) interest on all the payments.
- (2) Until an insurer that is subject to a rehabilitation proceeding complies with Subsection (1), the insurer may not:
 - (a) be permitted to:
 - (i) solicit or accept new business; or
 - (ii) request or accept the restoration of any suspended or revoked license or certificate of authority;
 - (b) be returned to the control of its shareholders or private management; or
 - (c) have any of its assets returned to the control of its shareholders or private management.

Enacted by Chapter 309, 2007 General Session